

P.F.
File A15.



DEPARTMENT OF STATE
BRIEFING MEMORANDUM

8/3/79

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781 0019

AS 149

S/S

3 AUG 1979

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

() Release (X) Excise () Deny

Exemption(s): B1

Declassify: (X) In Part () In Full

(X) Classify as C () Extend as () Downgrade to

Date 5/23/01 Declassify on 5/22/11 Reason 25X6

TO: The Secretary
The Deputy Secretary

FROM: ARA - Viron P. Vaky
HA - Patricia M. Derian

Current Human Rights Situation in Argentina

(U) The following is a summary of the human rights situation in Argentina. A more detailed review of current conditions is set forth in the attachment.

Disappearances: Seventeen since February 1; three have turned up arrested by the GOA, one was released, and 13 remain unresolved. The last reported disappearance occurred May 13. In 1978, 55 persons disappeared per month; in 1977, 180; in 1976, 300.

Accounting for the Disappeared: The GOA is preparing new legislation to shorten to six months the time period for declaring presumptive death. Army Commander and Junta Member Viola has spoken publicly for the first time of the disappeared as "those who will be absent forever" and told the Embassy he thinks, with rare exceptions, most of the disappeared are dead. The GOA has so far refused to provide individual accounting.

PEN Prisoners: The GOA announced on June 29 it now holds 1,723 persons under PEN (executive detention). It is not clear how many former PEN detainees have been freed and how many have continued in prison after civil or military trials, but the Embassy and the ICRC estimate the total number of political prisoners at just under 3,000 in all of these categories. GOA officials plan to reduce the PEN category to 800-1,000 by late 1979; the latter will continue to be held for an unstated period. In early 1978, the GOA acknowledged that it held about 3,500 PEN prisoners.

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Clandestine Prisoners: The question of whether clandestine prisoners exist in significant numbers remains unresolved. If there are, they could number up to a few hundred as an outside limit; our Embassy considers it unlikely that the number would be that high; We have no firm evidence. Fragmentary data, however, suggest the existence of at least some unacknowledged prisoners and of some small scattered clandestine detention centers about to be closed.

Right of Option: Moving at a slow pace, with only 18 GOA approvals so far for PEN prisoners seeking to come to the U.S. The GOA has approved approximately 170 applications since September 1977 for all countries.

Prison Conditions: The GOA issued nation-wide uniform prison regulations in late April and consolidated PEN detainees in six facilities. In February, there were reports of two beatings (one fatal) and a disappearance in prisons and, in May, of a number of beatings and robberies among a group of prisoners in transit.

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The Judiciary: The NYC Bar Association mission noted that the Executive continues to be uncooperative in responding to habeas corpus petitions. The Judiciary has made some attempts to force greater cooperation, but its effective power remains limited.

Argentine Attitudes Toward the Human Rights Issue: Videla and Viola appear to be trying to carry out commitments to us to end disappearances and reduce PEN detentions. Hardliners such as General Suarez Mason and General Menendez have recently stepped up calls for a new GOA offensive to root out "intellectual subversion." A political test of strength between these two points of view is shaping up for year's end.

(U) The NYC Bar Association mission noted that progress is possible but would come much faster if the Argentine legal profession would take a more active interest in return to rule of law.

(U) The Church and some elements of the press have become more outspokenly critical in dealing with human rights.

Attachment:

Detailed Review of Current Conditions.

pp *by: C.W.N.*
Drafted: HA/HR:PFlood:ARA/ECA:CHBrayshaw:mas
8/1/79 X21966

Clearances: INR/RAR:JBuchanan *by: C.W.N.*